

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 09-12776

vs.

HON. GEORGE CARAM STEEH

MICAH S. BRADFORD, A/K/A
MICHAEL S. BRADFORD,

Defendant.

ORDER GRANTING PLAINTIFF'S MOTION FOR ALTERNATE SERVICE [DOC. 5]

Plaintiff, United States of America, moves for alternate service of process to be effected upon defendant Micah or Michael S. Bradford. Service upon an individual may be effected pursuant to the law of the state in which the district court is located, here being Michigan. Fed. R. Civ. P. 4(e). Michigan law provides that, “[o]n a showing that service of process cannot reasonably be made as provided by this rule, the court may by order permit service of process to be made in any other manner reasonably calculated to give the defendant actual notice of the proceedings and an opportunity to be heard.” M.C.R. 2.105(I)(1). Plaintiff has shown that service of process cannot be made on defendant Bradford under M.C.R. 2.105(A), by delivering the Summons and Complaint to defendant personally.

In support of its motion for alternate service, plaintiff provides the affidavit of the process server, which states that a total of three attempts were made to serve defendant at his last known address. A request made to the Rochester Hills Postmaster confirms that defendant does not have a change of address on file, and that his last

known address is 2209 Norfolk, Apt. 201, Rochester Hills, Michigan 48309. This is the address at which the process server attempted service all three times.

Plaintiff suggests as an alternate means of service of process mailing to and posting at defendant's last known address. The court approves of this alternate means of service of process as reasonably calculated to give respondent actual notice, as outlined below. Now, therefore,

IT IS HEREBY ORDERED that plaintiff's petition for order permitting substituted service of process is GRANTED.

IT IS HEREBY FURTHER ORDERED that plaintiff may serve the defendant with the Summons and a copy of the Complaint by:

(A) Posting a copy thereof, along with a copy of the petition and this order for substituted service of process, at defendant's residence at 2209 Norfolk, Apt. 201, Rochester Hills, Michigan 48309;

(B) Mailing a copy of same by certified mail (return receipt requested) to the defendant's residence noted above; and

(C) Mailing a copy of same by first class mail to the defendant's residence noted above.

The plaintiff shall file a certificate confirming service as provided herein.

So Ordered.

s/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

Dated: November 23, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on November 23, 2009, by electronic and/or ordinary mail.

s/Josephine Chaffee
Secretary/Deputy Clerk